

TIFT COUNTY COMMISSION

P.O. BOX 826
TIFTON, GEORGIA 31793

APPLICATION AND PERMIT FOR (Check One):

- On Right of Way of County Road No. _____
- Residential Driveway
- Commercial Driveway
- Private Road Intersection
- Special Encroachment (as specified).

To: **TIFT COUNTY COMMISSION**
TIFTON, GEORGIA

Application is hereby made by _____
Name of Applicant, Mailing Address, Phone Number

for permission to perform the indicated work according to the attached plans, rules and regulations on file in the County Engineer's Office, and made a part thereof and **shown on the back of this form**. Permit requested this _____ day of _____, 199_____.

Check one:

- The Applicant is owner in fee simple of property of access.
- The Applicant has leased the property of access from _____, _____
and the said lease begins _____ and ends _____
Date Date

By _____

Print or Type Name of Applicant

Witness to Applicant Signature

PERMIT GRANTED to make the above described installation in accordance with the applicable section of the Rules and Regulations of this permit by reference thereto this _____ day of _____, 199_____.

This permit is to be strictly construed and no work other than that specifically described above is hereby authorized, except subsequent normal maintenance.

* Georgia DOT will issue permits on all FAS and RRPR.

TIFT COUNTY ENGINEER

By _____

Permit No. _____

Copy to: County Administrator
Applicant
Director of Roads & Public Works
Georgia DOT on FAS & RR Projects

INSTRUCTIONS FOR APPLICATION

Name, mailing address and phone number of owner or lessee. State and describe the type of work intended, and submit a plan (original and 3 copies) with application. The plan should show the centerline and the right-of-way line, indicating width; also the width of pavement, if any; the location of existing driveways and drainage structures; elevations and/or section when necessary. Indicate boundaries of the contemplated work. When grading is proposed, drainage plans shall be included. Any land disturbing activity shall comply with Georgia Department of Natural Resources rules.

Indicate County Road number, State route number and distance from geographical point such as intersecting roads or highways, city or village corporate limits.

1-1. **DEFINITIONS:** The following terms as used in this document shall have the following meanings unless the context thereof indicates to the contrary.

- A. "APPLICANT" - Person or persons who have applied for a permit.
- B. "DEPARTMENT" - The County Road Department.
- C. "ADMINISTRATOR" - The County Administrator of Tift County, Georgia.
- D. "ENGINEER" - The County Engineer of Tift County, Georgia.
- E. "RESIDENTIAL DRIVEWAY" - Any private entrance, exit ramp, tunnel, bridge or other vehicular passageway to any property.
- F. "COMMERCIAL DRIVEWAY" - Any private entrance, exit ramp, tunnel, bridge, side road or other vehicular passageway to any property used for commercial purposes; except a farm or a dwelling house not exceeding a four-family capacity and which leads to or from any public road on the County Road System.
- G. "PERMIT" - The driveway or special encroachment permit granted by the Department authorizing a person to work on the right-of-way until revocation by the Department or upon expiration of the permit.
- H. "ISLAND" - The property separating adjacent driveways extending back at least to the right-of-way line.
- I. "RIGHT-OF-WAY" - Right-of-way is defined as a general term denoting land, property or interest therein, usually but not required to be in a strip, acquired for or devoted to a public road owned or controlled by the Department.
- J. "RIGHT-OF-WAY MITER" - The right-of-way line at an intersection which is parallel to neither road but forms a triangle with the extension of right-of-way lines of adjacent sides of the intersecting roads and provides for safer visibility for vehicles approaching the intersection by enlarging the right-of-way.

2-1. The County Ordinance dated September 10, 1990 requires that a permit be obtained for any person to construct a new commercial driveway or reconstruct, alter or improve any existing commercial driveway on roads owned or controlled by the Department. Also, non-commercial driveways (such as driveways to a school, church, hospital or other organization inviting public use) require a non-commercial driveway permit. The Department provisions relating to commercial driveway permits shall be applicable to obtaining of such a non-commercial driveway permit. Residential driveways require a permit. Residential driveway permits may be obtained from the County Engineer's Office or the County Road Department. See Section 4 of the County Ordinance dated September 10, 1990. Applicants must be either owner or lessee of commercial or non-commercial property. Special encroachment permits are required for any construction or work on County rights-of-way, other than driveway work, such as but not limited to grading, landscaping, drainage work and temporary encroachment.

3-1. **DESIGNATION OF PLACE OF FILING:** Application and permit forms will be filed with the Tift County Engineer's Office (original and 3 copies).

3-2. **PLAN REQUIRED:** Commercial Driveway - The Applicant will submit with his application a plan, satisfactory to the Department, which complies with the Georgia DOT "Commercial Driveway Specification," in Part B; or Special Encroachment Details in Part C, GEORGIA D.O.T. RULES and REGULATIONS for DRIVEWAY and ENCROACHMENT CONTROL 1987. Copies available at the County Engineer's Office. Data relative to the requested permit will be furnished by the applicant without cost to the Department. The County Engineer will be available for consultation and advice in these matters.

3-3. **PROVISIONS OF PERMIT DEFINED:** The provision of any permit granted under these rules and regulations shall be construed as regulatory and not as contractual. No interest or right of an Applicant shall be transferred to another except by written consent of the County Commissioners. No inherent right or privilege belonging to any abutting property owner will be affected, interfered with, or abridged by these standards or these regulations or by any permit issued thereunder, nor is the County of Tift or the State Highway Department responsible for any damage claim which may arise as between the Applicant and any property owner concerning said right-of-way or its occupancy or use.

3-4. **ALLOCATION OF COST:** The County does not charge a fee for this permit. A. The Applicant shall reimburse Tift County for any reasonable and necessary expense that the County may incur in connection with the facilities or operations authorized by the permit. B. The reimbursement to Tift County shall be made by the Applicant within thirty (30) days after receiving a statement from the Administrator. C. The Applicant upon notification in writing by the Administrator, shall pay a reasonable market price for any materials removed from the right-of-way or destroyed as a result of operations authorized by permit.

3-5. **APPROVAL BY THE ENGINEER:** The processing of permits will be conducted by the Tift County Engineering Department in an expeditious manner. Approval of a permit will be by the appropriate Department official.

RULES & REGULATIONS: The conditions enumerated in this section are agreed to by the Applicant for a driveway permit and are part of the terms of such permit. These conditions to the permit continue in effect until changes are made or authorized by the Department.

A. **GENERAL RESTRICTIONS:** 1. Parking is prohibited on the right-of-way. 2. Driveways shall not be provided within the right-of-way for purposes of parking, loading, and servicing on right-of-way area. 3. Geometric and safety requirements must be maintained as stipulated in the permit and shall not be altered by the Applicant. 4. Newly constructed driveways shall not be opened to public use until a satisfactory inspection has been completed by an agent for the Engineer. 5. Work under the permit must be initiated within three (3) months after approval of the Engineer. 6. Construction work must be completed on a schedule satisfactory to the Engineer no later than 12 months after the approval of a permit.

B. **LIABILITY and RESPONSIBILITY of PERMIT APPLICANT:** Applicants to whom permits have been granted shall at all times indemnify and save harmless the Department and any political subdivision of the County from responsibility for any damages or liability arising from the construction approved under the permit. The Applicant will move, relocate and remove any installations or construction placed on the County right-of-way when ordered in writing to do so by the Administrator; without regard to the type of expense of the construction or maintenance work involved and without cost to the Department or the State.

C. **PERMIT CHANGE or MODIFICATION:** No driveway approach or other improvement constructed on the right-of-way as an exercise of the permit shall be relocated or its dimensions altered without the written permission of the Engineer.

D. **BACKING VEHICLES onto the RIGHT-OF-WAY:** Where the Applicant for a driveway permit has planned for or developed an angle parking arrangement on his property adjacent to the highway right-of-way, the driveway shall not be located in a position which requires or invites vehicles to be backed into or within the right-of-way when entering or leaving the Applicant's parking arrangement. If such a position is unavoidable, the planned parking spaces will be omitted and a permanent traffic barrier installed to prevent such parking.

E. **JOINT DRIVEWAYS:** A joint driveway may be authorized when requested by two (2) Applicants owning adjacent property or when required by the Department as a part of a subdivision review. Once the Department has acquired the access rights no shift in the limited access break will be allowed.

F. **PROPERTY INTEREST:** No property interest is created by the granting of a permit even if the Applicant, or his transferee, has incurred expense or expended effort in reliance on such permit.

PERMIT REVOCATIONS: If any part of rules and regulations is violated, the Department may revoke the permit. If the Applicant has not begun work covered under his permit, revocation will be by written notice prior to revocation.

CHANGED CONDITIONS NECESSITATING DEPARTMENT ALTERATIONS OF RIGHT-OF-WAY: In addition to the conditions agreed to by the Applicant, the Applicant agrees that at any time the Department may alter or close the driveway or require the Applicant to alter or close the driveway for the following reasons: A. The driveway at any time creates an unreasonable interference with right-of-way to widen the existing road-way or to construct service roads or to make any other revisions in location, alignment or grade of the roadway, making the approved plan impractical, hazardous or otherwise objectionable.

However, the Department shall not alter or close a driveway or require an Applicant to alter or close his driveway if such alteration or closing would substantially interfere with the Applicant's legal right of access to the public roads of Tift County or the State Highway System as it existed when the permit was issued.